

Public Law 106-446
106th Congress

An Act

Nov. 6, 2000
[H.R. 5314]

To amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROMOTION OF ADOPTION OF MILITARY WORKING DOGS.

(a) **ADOPTION OF MILITARY WORKING DOGS.**—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2582. Military working dogs: transfer and adoption at end of useful working life

“(a) **AVAILABILITY FOR ADOPTION.**—The Secretary of Defense may make a military working dog of the Department of Defense available for adoption by a person or entity referred to in subsection (c) at the end of the dog’s useful working life or when the dog is otherwise excess to the needs of the Department, unless the dog has been determined to be unsuitable for adoption under subsection (b).

“(b) **SUITABILITY FOR ADOPTION.**—The decision whether a particular military working dog is suitable or unsuitable for adoption under this section shall be made by the commander of the last unit to which the dog is assigned before being declared excess. The unit commander shall consider the recommendations of the unit’s veterinarian in making the decision regarding a dog’s adoptability.

“(c) **AUTHORIZED RECIPIENTS.**—Military working dogs may be adopted under this section by law enforcement agencies, former handlers of these dogs, and other persons capable of humanely caring for these dogs.

“(d) **CONSIDERATION.**—The transfer of a military working dog under this section may be without charge to the recipient.

“(e) **LIMITATIONS ON LIABILITY FOR TRANSFERRED DOGS.**—(1) Notwithstanding any other provision of law, the United States shall not be subject to any suit, claim, demand or action, liability, judgment, cost, or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or other economic loss) that results from, or is in any manner predicated upon, the act or omission of a former military working dog transferred under this section, including any training provided to the dog while a military working dog.

“(2) Notwithstanding any other provision of law, the United States shall not be liable for any veterinary expense associated

with a military working dog transferred under this section for a condition of the military working dog before transfer under this section, whether or not such condition is known at the time of transfer under this section.

“(f) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report specifying the number of military working dogs adopted under this section during the preceding year, the number of these dogs currently awaiting adoption, and the number of these dogs euthanized during the preceding year. With respect to each euthanized military working dog, the report shall contain an explanation of the reasons why the dog was euthanized rather than retained for adoption under this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2582. Military working dogs: transfer and adoption at end of useful working life.”.

Approved November 6, 2000.

LEGISLATIVE HISTORY—H.R. 5314:

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 10, considered and passed House.

Oct. 24, considered and passed Senate, amended.

Oct. 26, House concurred in Senate amendment.